

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

ROBERT DOYLE,

*Plaintiff,*

-against-

DOUGLAS C. PALMER, in his official capacity as  
Clerk of the United States District Court  
for the Eastern District of New York,

*Defendant.*

1:18-cv-04439-JBW-CLP

**NOTICE OF MOTION**

**PLEASE TAKE NOTICE** that, upon the accompanying Memorandum of Law and all of the other pleadings and proceedings herein, Plaintiff will, pursuant to Local Civil Rule 6.3 and Rules 60(b)(1) and 60(b)(6) of the Federal Rules of Civil Procedure, move the Court, before Senior Judge Jack B. Weinstein, in Courtroom 10B South, 225 Cadman Plaza East, Brooklyn, New York 11201 on November 28, 2018, at 9:30 am or as soon thereafter as the parties may be heard, to: (1) reconsider, and vacate, the Orders dated October 29, 2018 (Dkt. No. 13), and November 1, 2018 (Dkt. No. 15), insofar as the Orders state, respectively and as italicized by the undersigned: “The court will hear the government’s motion to dismiss the complaint on November 7, 2018 at 11:15 a.m., in courtroom 10B South. [¶] *Mr. Robert Doyle shall appear in person with counsel,*” and “The plaintiff’s request for an adjournment is granted. [¶] The hearing will be held on November 19, 2018 at 10:30 a.m. *If the named plaintiff does not appear as ordered, the case will be dismissed.*”

Dated: November 5, 2018

Respectfully submitted,

s/ **Todd C. Bank**

TODD C. BANK

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By Todd C. Bank

*Counsel to Plaintiff*

**CERTIFICATE OF SERVICE**

I hereby certify that on November 5, 2018, a true and accurate copy of the foregoing document is being filed electronically via the Court's electronic-filing (ECF) system. Notice of this filing will be sent to all parties by operation of the Court's ECF system and copies will be mailed to those parties, if any, who are not served via the Court's ECF system.

Dated: November 5, 2018

*s/ Todd C. Bank*  
TODD C. BANK